

August 10, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

RE: Subscriber Notification and Acknowledgement Status and Compliance Report
of Vonage America Inc.
WC Docket No. 05-196

Dear Ms. Dortch:

Vonage America Inc. ("Vonage"), through its undersigned counsel and in compliance with the Commission's *VoIP E911 Order* ("Order") and the Public Notice issued by the Enforcement Bureau on July 26, 2005 ("Public Notice"), submits this report to advise the Commission of the status of Vonage's efforts to comply with Commission Rule 9.5(e).

As required, by the Public Notice, Vonage reports as follows:

1) Subscriber Notification Program

In accordance with the FCC Order, Vonage has modified its subscribe processes so that every new customer will receive, and must affirmatively acknowledge clear and conspicuous plain language disclosures regarding the circumstances under which E911 service may not be available through Vonage's service and/or may in some way be limited by comparison to traditional E911 service.

In addition, Vonage is conducting an extensive program designed to seek the affirmative acknowledgement of its existing subscribers. Vonage has contacted subscribers through multiple and varied means, including e-mail, voicemail, automated calls, interactive voice response ("IVR") technologies and letters. Once contacted, customers are required to log into their accounts to review and affirmatively acknowledge these disclosures. Vonage retains electronic records of the acknowledgment including the date and time of affirmation. In an effort to obtain this acknowledgement Vonage has:

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- Prevented subscribers from accessing their web-accounts until they have reviewed and acknowledged the E911 disclosures.
- Sent five rounds of E911 E-mail notifications. Transmissions were made on July 6, 11, 15, 19 and 21st.
- Voicemails were sent to subscribers for whom e-mail was returned as undeliverable on July 15.
- Multiple automated calls were made to subscribers beginning on July 18, 21 and 25.
- Letters (which include the warning labels required under Rule 9.5(e)(3)) were sent to all subscribers on July 27th-July 28th.

2) Quantification of Subscriber Response

As of August 9, 2005, Vonage had obtained affirmative acknowledgement from more than 90% of Vonage's subscriber base. Vonage cannot predict with precision what its final response rate will be by August 29, 2005.

3) Distribution of Warning Labels

Vonage has distributed warning labels to all of its existing subscribers. Those labels, along with appropriate instructions that advise the subscriber to place the labels on or near the customer premises equipment, were mailed to subscribers by letters sent between July 27 and July 28, 2005. For all new customers, Vonage sends the labels in accordance with the Commission's rules.

4) Quantification of Subscribers to Which Advisories/Labels were not sent.

Vonage has sent advisories and warning labels to all of its subscribers. Subscribers that do not affirm receive all additional advisories until they provide their affirmative acknowledgment.

5) Further Efforts

Vonage is continuing its campaign to contact and obtain affirmative acknowledgment from all of its subscribers. Vonage expects to send out at least one e-mail per week and to continue to restrict account access of subscribers who have not yet submitted an affirmative acknowledgment. In addition, Vonage will also attempt to contact non-acknowledging customers by placing additional automated calls at least once a week.

Although Vonage believes that it can achieve even higher rates of responsiveness by August 29, 2005, the Company anticipates that despite its best efforts, Vonage will not be able to

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obtain affirmative acknowledgement from a minority of its subscribers by August 29, 2005. Vonage is prepared to restrict the ability of those subscribers who still have not responded by August 29, 2005 to use their VoIP service. Vonage is in the processes of modifying its systems to ensure that (1) appropriate calling restrictions can be imposed by August 29, 2005, (2) subscribers who have had their service restricted can promptly submit an affirmative acknowledgment through the use of an Interactive Voice Response ("IVR") one of several systems, and (3) the VoIP calling restrictions can be lifted as soon as possible upon receipt of affirmative acknowledgment.

6) Description of Acknowledgment Tracking

Vonage has created a detailed database that records the account number and date and time that each subscriber affirmatively acknowledges and the method through which the subscriber submitted his or her affirmative acknowledgement.

7) E911 Compliance Contact

Compliance inquiries for Vonage may be directed to:

Brooke Schulz
Senior Vice President – Regulatory Affairs and Communications
2147 Lincoln Highway
Edison, NJ 08817
(732) 528-2627 (Telephone)
(732) 287-9119 (Facsimile)
brooke.schulz@vonage.com (E-Mail)

Vonage remains prepared to work closely with the Commission and Staff to provide additional detailed information pertaining to Vonage's actions to comply with the Commission's VoIP E911 Order. Questions regarding this filing may be submitted to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W.B. Wilhelm", with a long, sweeping horizontal stroke extending to the right.

William B. Wilhelm
Tamar E. Finn
Edward S. Quill, Jr.

Counsel for Vonage America Inc.

VERIFICATION

I, John Rego, state that I am Chief Financial Officer, of Vonage Holding Corp., the ultimate holding company of Vonage America Inc.; that I am authorized to submit this report on behalf of Vonage America Inc.; that the foregoing filing was prepared under my direction and supervision; and I declare under penalty of perjury that this report is true and correct to the best of my knowledge, information, and belief.



Handwritten signature of John Rego, consisting of a stylized 'J' and 'R' followed by a horizontal line.

Name: John Rego

Title: Chief Financial Officer

Vonage Holding Corp.